



WILD DISORDER OVER BRONX BILL IN SENATE

Lie Passed, Threats of Personal
Violence Made and Blows
Narrowly Averted.

TAMMANY AMENDS MEASURE

Bill Is Advanced After Being
Changed to Provide for Vote
in New York County—
Assembly Kills It.

(By Telegram to The Tribune.)

Albany, May 16.—Not in many years has the Senate witnessed such a scene of turbulence and wild disorder as was produced to-day by a bitter fight over Senator Stillwell's bill to erect the county of The Bronx. The bill was passed, threats of personal violence made in heat and reiterated with calm menace, and blows avoided by the narrowest margin. Indeed, technically, there was personal assault, for the sergeant-at-arms, acting on a wholly indefensible order from Senator Fiero, who was presiding in Committee of the Whole, grabbed Senators Roosevelt and Stillwell by the shoulders and forcibly prevented them from leaving the Senate Chamber.

"The rule of natural force," was the reason given by Senator Fiero for his ruling, when it was challenged. Thereupon Senators Brackett, Stillwell and others declared they would use "natural force" or an axe or anything else which came handy to aid them in going in and out of the chamber in this particular order of business, just as they pleased. Fiero later withdrew his ruling, and virtually apologized for it.

"Natural force," or something akin to it, was used at one stage of the proceedings in counting a quorum to help out Tammany. With only twenty-five Senators actually present and voting on a test to ascertain whether Tammany might go ahead and kill the bill, the clerk calmly announced twenty-six as having voted. This was challenged, and repeated a second time, thus enabling Tammany to do its job to-day instead of having the bill laid aside to some time when three absent Republicans would be present, and thus the Republican-Insurgent-Democrat combination which backed the bill would be in control of the situation. It was quite the crudest detail of a fight where skin sticking and hair pulling would have seemed entirely appropriate.

Fight Not Permanently Won.

Tammany Hall, which has been fighting this bill desperately for purely political reasons, won in both houses to-day. At the end of the long Senate fight, Tammany had succeeded, with the aid of Senator Loomis, a self-styled Independent Democrat, of Buffalo, in amending the bill in such fashion as to defeat its purpose. In the lower House, the measure was defeated by a vote of 77 to 49 before the Senate fight began. Nevertheless, Senator Stillwell and the Republicans, who for political reasons fought with him to-day, says Tammany's fight is not won permanently. There were three Republican absentees to-day. They have been summoned by telegraph to be present to-morrow, and the bill's advocates predict they will renew the fight in some fashion and give it a different turn then.

Following the caucus last night, when seven Democrats bolted Tammany, the organization leaders have been very busy on this proposition. Loomis, who objects to Stillwell politically and personally, concocted an amendment to the Stillwell bill providing that the question of creating the Bronx County be referred to the voters of the present New York County. The Tammany men felt sure this would kill the bill, if adopted, and thought they could get Burd, of Buffalo, one of the seven bolters, to support it. So, after having delayed the Senate session for nearly an hour arranging their scheme, they went through the passage of bills with a rush, and surprised Stillwell by making no protests against going into the Committee of the Whole where his bill was.

When the bill was taken up Loomis presented his amendment and Stillwell discovered he had lost Burd. Then began a wordy war. Stillwell, backed by Senator Brackett and the Republicans, tried to lay the bill aside. Wagner, Grady and Fawcett protested violently.

Fawcett Jeers at Stillwell.

"Who didn't you lay the bill aside in the first place?" jeered Fawcett. "You wanted to spread eagle before a crowd of people, until you found you didn't have the votes."

Stillwell answered that he knew the bill would provoke a long discussion, and there were many waiting for Senate hearings.

Stillwell's motion to lay the bill over was lost, 22 to 23. Thereupon the Republicans and some of the insurgent Democrats began to rush from the chamber to compel adjournment by breaking the quorum. Grady and Fawcett, no infants in parliamentary trickery, immediately saw the point, and protested vehemently at "the dirtiest tactics ever attempted," and the "gross violation of the properties of the committee." Senator Fiero then ordered the doors barred, and the sergeant-at-arms to prevent Senators from leaving the chamber.

Roosevelt and Stillwell at that moment were about to walk through one of the doors. The sergeant-at-arms grabbed them by the shoulders, whirled them aside with a wild rush, and slammed the big brass bar into place while they were still protesting.

"There's no doubt," shouted Senator Brackett, "that if any sergeant-at-arms tries to enforce that order by stopping a Senator or closing the doors it will result in assault and battery, as it ought to do. There is no power in this committee or its chairman to prevent any Senator from leaving his seat and staying away as long as he pleases."

"Well, I'm chairman, and I rule against it," declared Fiero, majestically.

"Under what rule?" challenged Stillwell, his face purple with wrath.

"The rule of natural force," Senator Fiero.

"I say to you," Stillwell yelled, "that

Continued on third page.

Honors Even by Rudyard Kipling

Part two of this great story, by the foremost living writer, will be published in next Sunday's magazine of the
NEW-YORK TRIBUNE

THIS PLAY DOUBLY ROYAL

King and Kaiser to See 'Money,'
Once Commanded by Victoria.

(By Cable to The Tribune.)

London, May 16.—Many things combine to make the command performance of "Money," at which King George, Queen Mary, the German Emperor and Empress and other royal personages will be present at the Drury Lane Royal Theatre to-night a red letter event in the annals of the English stage. Beside it the gala performance of the opera fades into conventional insignificance.

"Money" is an English play with a glorious tradition, and Drury Lane is the unofficial national theatre. The cast for the occasion is perhaps unequalled in the history of any stage, and the decoration of the theatre has been carried out on a scale of lavish splendor, converting old Drury into a boomer of rare magnificence.

"Money" was first produced by Macready in 1840, and in selecting the play for to-night's performance King George was probably influenced by the fact that fifty-seven years ago Queen Victoria commanded that the play be given at Windsor Castle.

To the playgoers public the performance has made a strong appeal. This was demonstrated by the congregation of a small crowd outside the doors yesterday. The earliest arrival, a woman, took up her position thirty-seven hours before the raising of the curtain.

TO VOTE ON EQUAL SUFFRAGE

Stillwell Resolution Favorably
Reported by Senate Committee.

(By Telegram to The Tribune.)

Albany, May 16.—While it will not advance their measure very far, women suffragists may obtain some crumbs of comfort from the fact that the Senate Judiciary Committee to-night voted to report Senator Stillwell's equal suffrage resolution favorably. The vote in committee was 7 to 2. Senators Bayne, Burd, Black, Fiero, Griffin, Newcomb and Stillwell voted for the resolution; Senators Wagner and Hinman against it. There is little chance that the measure will pass the Senate. The Assembly has gone on record once this year against it. This reporting of the resolution will compel a line-up in the Senate on advancement of it, and the women then can get that line on the membership of the upper house they have been wanting for some time. In view of the action of the committees in other years this favorable report represents considerable advance in legislative thought on the question of equal suffrage.

SWALLOWED \$150 DIAMOND

Friend Takes Jeweller at His
Word and Makes \$100.

(By Telegram to The Tribune.)

Wilkes-Barre, Penn., May 16.—Harry Fassen, a jeweller, of Pittston, lost \$100 to-day because Max Marcus, a tailor, swallowed a diamond. Marcus is \$100 ahead.

Fassen was examining a shipment of unmounted diamonds this morning when Marcus strolled in. "They admired the diamonds together, and Marcus said that he didn't see how it was possible to prevent the diamond miners from stealing many of the stones they found."

"They could swallow them," he explained, and picking up one of the larger stones he placed it on his tongue. "Why, I'll bet I could swallow this easily," he declared.

"It will cost you \$50 if you do," laughingly remarked his friend Fassen.

"That's a go," exclaimed the tailor, and before the jeweller could recover from his astonishment Marcus had seized a glass of water and gulped down both the water and the diamond. Then he pushed \$50 across the showcase and walked out of the shop. Fassen says the diamond cost him \$150.

TROLLEY KILLS BANKER

Was Returning from Baseball
Game at Thirteenth Club.

(By Telegram to The Tribune.)

Philadelphia, May 16.—Charles A. Spiegel, a well known Philadelphia banker, was killed this evening, when the carriage in which he was returning from a ball game at the Thirteenth Club of Germantown was struck by a rapidly moving trolley car in Old York Road.

Mr. Spiegel's daughter, Miss Ellen Spiegel, and Miss Emma Adams, a friend, who were also in the carriage, escaped with a few scratches. The horse was killed.

Mr. Spiegel was treasurer of the Germantown Savings Fund Association, one of the oldest financial institutions in the United States. He leaves an estate valued at several million dollars.

AVIATOR'S CLOSE SHAVE

Escapes Unhurt When Monoplane
Is Wrecked at Belmont Park.

A Demosile monoplane, owned by the Novosilsky brothers, leaped from the ground at an angle of 45 degrees, shot through the air fifty feet above the ground for a hundred yards, then as suddenly plunged sharply to earth, burying its nose in the ground and crumpling up like tissue paper, in a practice flight at Belmont Park yesterday.

Everything about the monoplane was wrecked.

Joseph Novosilsky was driving the machine at the time, but he escaped without a bruise. Those who ran forward expecting to pick up his mangled body could hardly believe their eyes when they saw the young man step out of the wreckage unharmed.

Ovington, the amateur, whose flights have attracted attention heretofore, made three flights yesterday, rising to about two thousand feet and remaining in the air about forty minutes each time. He travelled about seventy-five miles.

Continued on third page.

PEACE IN MEXICO MATTER OF DETAILS

Armistice Between Contending
Forces Likely To Be Ar-
ranged To-day.

PRESIDENT DIAZ TO RESIGN

Mexican Executive, It Is An-
nounced, Will Give Up Office
When Peace Shall Have
Been Restored.

Juarez, Mexico, May 16.—Peace to-night seems almost an accomplished fact to those who are negotiating a settlement of the revolt.

Judge Carbajal, the federal peace envoy, has announced, that, barring the unforeseen, a general armistice will be declared within twenty-four hours. Provisional President Madero has declared that mutually acceptable propositions have at last been reached and peace is assured.

The formal signing of a peace agreement will probably take place here within the next two days. President Diaz probably will resign within two or three months or at any rate when peace shall be restored.

Two principal questions have all but been agreed upon—namely, the number of Cabinet members and governors to be allowed the insurgents—and the other conditions have for some time been tacitly determined by both sides. Now it will be merely a matter of technical detail to draft the peace terms formally and to arrange a modus operandi for the discharge of their provisions.

The price of peace paid by the federal government is the resignation in the near future of President Diaz and the granting to the present insurgents of three Cabinet positions and fourteen governorships.

Price Paid by Mexican People.

The price paid by the Mexican people is at least a thousand lives, untold suffering to many thousands of wounded, sick and poor, the destruction of millions in property and the probability that want for many months may haunt the inhabitants of possibly a fourth of the republic.

Up to to-night the government had acceded to the insurgent demand for three Cabinet portfolios; namely, those of War, Justice and Government, and word was awaited from Mexico City as to the exact number of governorships to be allowed the rebels. Last night the government offered ten. On other occasions the government is believed to have been inclined to give fourteen. There is little doubt that fourteen will be the final number.

The Cabinet portfolios, it is said, probably will be filled as follows: Minister of War, General Gonzales Salaz; Minister of Justice, Señor Vasquez Tagle, and Minister of Government, Dr. Francisco Vasquez Gomez.

As far as the governorships are concerned the insurgents have decided on their men for the largest and most important of the states as follows:

Chihuahua, Abram Gonzales; Sonora, Señor Cayon; Sinaloa, Manuel Bonilla; Yucatan, Jose Pino Suarez; Sateceas, Guadalupe Gonzales; Coahuila, Venustiano Garza.

In the selection of General Salaz for Minister of War and of Señor Tagle for Minister of Justice the rebels have chosen two men who have not taken active part in the revolution. In fact, General Salaz is one of the foremost figures in the Mexican army.

In Dr. Vasquez Gomez, who has been active in the revolution and who is likely to be Minister of Government, the revolutionists will have a man who is a personal friend of Dr. de la Barra, Minister of Foreign Relations, and one who is said to be generally acceptable to the government.

Gomez May Have Large Powers.

The federal government, it is said, had him picked for the portfolio of Public Instruction, if the revolutionists had not suggested him for that of Government. In the latter post, Dr. Gomez will have important relations with the governors of the various states.

The post has no parallel in the American Cabinet. The minister has governorship jurisdiction over Mexico's three territories of Lower California, Tepe and Quintana Roo, and the federal district which contains Mexico City. The Minister of Government likewise has great political power, in that his office is the connecting link between the governors of the states and the federal government.

Proposals from the governors are laid before the Cabinet by the Minister of Government.

Dr. Gomez probably will occupy the office for only a short time. In about four or five months, it is planned, the present revolutionist party, which probably will be known hereafter as "the progressive," will nominate him for Vice-President, as a running mate to Francisco L. Madero, Jr., the Presidential candidate.

These two men opposed President Diaz and Vice-President Corral on the anti-revolution ticket a year ago, and it was the controversy which arose as to the legality of that election which brought about the revolution.

The revolution of six months, therefore, will have the effect of giving these candidates another chance, though perhaps with a more pronounced following than before and with a platform which has been to a large extent indorsed by public opinion in Mexico as well as by the Mexican Congress, which has effected many of their reform measures into law, chiefly the principle of "no re-election."

During the day Judge Carbajal received encouraging news from Mexico City, making it possible for both sides to admit that peace was almost an established fact and that a national armistice would be declared within twenty-four hours. One condition of such an armistice would be that the rebels could use the federal telegraph lines and railway lines on a parity with the federal gov-

Continued on third page.

HEAD OF THE STANDARD OIL CO. OF N. J., AND SOME DIRECTORS.

Top row, left to right: William Rockefeller, John D. Rockefeller, the president; Henry M. Flagler. Lower row: E. T. Bedford, John D. Archbold and Charles M. Pratt.



SOIL EXPERT UNSHAKEN BY FRIEND OF PARSONS

Maynadier Turned a Deaf Ear to
His Chief in Regard to
Central Park.

REPORT REACHES THE MAYOR

It Pronounces the Soils Well
Suited for Lawns, but Says
They Need Constant
Attention.

The report of G. B. Maynadier, the federal soil expert, who has been investigating conditions in Central Park for more than two months, was submitted to Mayor Gaynor yesterday by Park Commissioner Stover. Accompanying the report was a letter from the Park Commissioner informing the Mayor that despite the efforts of Professor Milton B. Whitney, head of the Bureau of Soils in Washington, and the superior officer of the federal expert, to influence Mr. Maynadier in favor of the scheme to reseed the park, the expert refused absolutely to do so, believing it not feasible.

"Mr. Maynadier's reply," said the Commissioner's letter, "was a fine, modern day instance of the noble art of 'letting behind me, Satan.' I am, indeed, sorry that Professor Whitney did not make the same reply to the satanic influence which induced him to make this journey. Mr. Maynadier came from Washington as a scientist, and he went away as a scientist and a man."

Although Samuel Parsons, Jr., was not mentioned as the "satanic influence" which brought Professor Whitney to New York early in April to try to influence Mr. Maynadier's report, this was inferred at the Park Board hearings, and in denying yesterday that he had sought to influence Mr. Maynadier through Professor Whitney, Mr. Parsons said:

"At the hearing before Commissioner Fosdick, Mr. Maynadier said that when he had ended his interview with his chief in the Republican Club the latter said he 'had an engagement with a gentleman upstairs.' I suppose they meant me. But I was out of town that day. Furthermore, I have not seen Professor Whitney in a year, nor have I had any communication with him. I know absolutely nothing about the Whitney matter except what appeared in the report."

Stover's Distrust Increased.

Professor Whitney, according to the testimony of Mr. Maynadier, said regarding an exclusive statement from the latter which appeared in The Tribune on the day on which he arrived in New York, "that it would embarrass the Bureau of Soils." The statement from Mr. Maynadier was that Central Park should not be reseeded. Mr. Parsons had advocated the reseeding at a cost of \$700,000. Professor Whitney and Mr. Parsons, according to the latter's statement, are old friends.

In his letter to the Mayor, Commissioner Stover said that on the advice of Samuel Parsons he had asked the Board of Estimate and Apportionment on December 15, 1910, for \$1,250,000 for reseeding Central Park. It was not long after the arrival of Mr. Maynadier that the Park Commissioner said the doubts he had regarding the advice of Mr. Parsons became more convincing. And, to add to the merit of Mr. Maynadier's judgment, Professor Whitney, in a communication to Commissioner Stover, said, "Mr. Maynadier is one of the best posted men in the Bureau of Soils."

"I asked for the truth from Mr. Maynadier," said Commissioner Stover, "and I got it."

In his report on Central Park Mr. Maynadier says the conditions are not of recent origin. Although there have been many investigations and recommendations for the betterment of the park few have been acted on.

The expert found the soils of Central Park to be texturally well suited for lawns, which, in his mind, completely refuted the idea of reseeding them with heavier soil. Such treatment would not be proper in view of the recognized relationship in texture that should exist between the soil and subsoil. The expenditure of \$500,000 a year for three

years would be a waste of money, and the park would be a permanent loss to the city.

A son of Farmer Cornwall, riding a bicycle, caught Zablenowski. He recognized his father's rig, and, drawing a revolver, had no trouble in holding his man until a policeman arrived. Zablenowski applied to Cornwall for work yesterday and got it.

Genuine pebble eyeglasses, the cool kind that never melt. Spencer's, 1 Maiden Lane, Advt.

Continued on fifth page.

STOCKS GO UP AS STANDARD OIL CASE ENDED

World of Finance Disposed to
Rejoice at Terms of Standard
Oil Decision.

COMPANY PLANS UNSETTLED

Suggestion That the Various
Branches of Business May Be
Separately Organized Made
by Former Counsel.

The prevailing sentiment expressed yesterday regarding the Standard Oil decision by men prominent in finance and in the management of great corporations was that of satisfaction over the recognition by the Supreme Court of a distinction between "reasonable" and "unreasonable" restraint of trade, which, it was thought, would have the effect of clearing up much of the uncertainty under which corporation managers have labored in regard to the legality of their organizations, and would go far toward restoring business confidence and consequently stimulating business activity.

Instead of declining, stock market prices showed net gains of from 1 1/2 to 3 points in the leading issues, the total transactions representing more than 1,000,000 shares. Standard Oil advanced from 67 1/2 to 68 1/2, but a reaction forced it down to 68 1/2. Long before the Stock exchange opened there had been heavy buying in London on cable orders from firms here.

M. F. Elliott, general counsel of the Standard Oil Company, issued this statement yesterday:

It may be now said that the Standard Oil Company will obey the decree of the court and that all the companies embraced in the court's decree will carry on business as usual under the direction of their officers and their own corporate organization. Having before us only the press reports of Chief Justice Harlan, and not yet having seen the opinion of the court in full, it is impossible to make any such statement. The full opinion has not yet been read by my associates and myself before it can be intelligently dealt with.

"At this time," said William Rockefeller, "I cannot say a thing about the decision. The company will make a statement through Mr. Elliott after the decision has been read in every particular. All we can do is to hope that the decision is for the best. After all, the Standard Oil case is only one of the things affecting general business conditions unfavorably."

A conference of directors and officers of the Standard Oil Company was held yesterday to discuss the decision, but none of those present would say anything about the probable course to be followed by the company in complying with the decree of the Supreme Court ordering a dissolution within the next six months. Among those at the meeting were John D. Archbold, vice-president of the New Jersey company; H. C. Folger, Jr., James A. Moffatt, Charles M. Pratt, Walter Jennings, A. C. Bedford, E. T. Bedford and John G. Milburn, one of the special counsel in the trial of the suit.

Says Jersey Law Was Obeyed.

A man familiar with the affairs of the company expressed surprise that Chief Justice White had not pointed out in his opinion that the Standard Oil Company of New Jersey, in effecting the combination which it has made, had merely taken advantage of a New Jersey law, specifically permitting it to do so. The decision would not cause the dissolution of the New Jersey company, he added. It was a popular misconception that that company was simply a holding company for all of the other Standard Oil corporations, since it held in its own name vast manufacturing interests. The building at No. 26 Broadway, he said, was owned by the Standard Oil Company of New York.

Moritz Rosenthal, who directed the work of preparation of the case of the Standard Oil Company and acted as one of the company's attorneys during the long hearings conducted in this city, but retired from the active practice of the law a year or so ago to become a partner in the banking house of Ladenburg, Thalmann & Co., suggested a possible form of reorganization of the "trust." He said:

The court has finally given us a clear and decisive interpretation of both Section 1 of the Sherman act, and it is an interpretation which, aside from its specific effect on Standard Oil, interests the whole business community.

From a hurried reading of the opinion, it seems to me that the court has interpreted the act to be substantially what the common law of England was, and has therefore to that extent come around to the dissenting opinion of Mr. Justice Holmes in the Northern Securities case, and also to some extent, adopted the concurring opinion of Mr. Justice Brewer in the same case. It is to be remembered that the language of Mr. Justice Brewer in the Northern Securities case, as I view it, turns upon the question of "monopolization" or "attempting to monopolize," a given trade or industry, and the court seems to hold that the Sherman act is not intended to prevent the so-called "combination contracts" or "contracts of restraint" as being in restraint of trade unless such contracts have the effect of monopolizing or tending to monopolize.

The law, says nothing about combinations or combinations in restraint of trade, and such contracts and combinations are not prohibited by the Sherman act unless they have the effect of monopolizing or tending to monopolize, and thus the decision has made the crucial difference between the Sherman act and the common law of England for hundreds of years.

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Now, with respect to the effect of this decision upon the Standard Oil organization, it is to be remembered that the decree, it would be a bold man who would undertake from a single reading of the decision to draw the moderate conclusion that the Standard Oil Company is to be dissolved.

President Taft said, "A mere incidental restraint of trade and competition is not within the inhibition of the act, but it is where the combination or conspiracy or contract is inevitably and di-

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